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Patent  
241/083  
*Brond*

Express Mail #EL088591781US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D. C. 20231

FILING UNDER 37 CFR § 1.53(b)

jc511 U.S. PTO  
09/272642  
03/18/99

This is a request for filing for a

☒ continuation      ☐ divisional      ☐ continuation-in-part (CIP) application  
under 37 CFR § 1.53(b) of pending prior application Serial No. 08/726,377, filed October 4, 1996.

by inventor: Andrew W. Scherpbier

for: **BROWSER CONTROLLER**

COPY OF PRIOR APPLICATION AS FILED WHICH IS ATTACHED

☒ I hereby verify that the attached papers are a true and complete copy of what is shown in my records to be the above-identified prior application, including the oath or declaration as originally filed. (37 CFR § 1.53)

26 Pages of Specification (which includes 8 pgs. claims)  
1 Page Abstract  
4 Sheets of Drawings  
2 Pages of Declaration  
2 Pages of Revocation and Grant of Power of Attorney filed Jan. 4, 1999

- ☒ Pursuant to 37 CFR 1.63(d)(1), a newly executed oath or declaration is not required.  
☐ A newly executed oath or declaration is filed herewith

I. AMENDMENTS

- ☒ Cancel in this application original Claims 2-20 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)  
☐ A Preliminary Amendment is enclosed. (Claims added by Amendment must be numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

II. INFORMATION DISCLOSURE STATEMENT

- ☐ An Information Disclosure Statement, PTO 1449, and references are submitted herewith.

### III. PETITION FOR SUSPENSION OF PROSECUTION FOR THE TIME TO FILE AN AMENDMENT

- ☐ There is provided herewith a PETITION FOR SUSPENSION OF PROSECUTION FOR THE TIME NECESSARY TO FILE AN AMENDMENT (NEW APPLICATION FILED CONCURRENTLY).

### IV. FEE CALCULATION

<b>BASIC FILING FEE:</b>						<b>\$760.00</b>
Total Claims	1	-	20	=	0 x \$18.00	\$0.00
Independent Claims	1	-	3	=	0 x \$78.00	\$0.00
Multiple Dependent Claims	\$260	(if applicable)			<input type="checkbox"/>	\$0.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)			<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						<b>\$760.00</b>
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.						\$380.00
Misc. Filing Fees (Recordation of Assignment)						\$0.00
<b>TOTAL FEES SUBMITTED HEREWITH</b>						<b>\$380.00</b>

- ☐ The fee for extra claims is not being paid at this time.

### V. SMALL ENTITY STATUS

A Verified Statement to establish small entity under 37 CFR §§ 1.9 and 1.27:

- ☐ is attached
- ☒ has been filed in the prior application and such status is still proper and desired. [37 CFR § 1.28(a)]

### VI. PRIORITY - 35 USC § 119

- ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in Country is claimed under 35 USC § 119.
- ☐ The certified copy has been filed in prior U.S. application Serial No. \_\_\_\_\_ on \_\_\_\_\_.
- ☐ The certified copy will follow.

### VII. RELATE BACK - 35 USC § 120

- ☒ Amend the Specification by inserting before the first line the sentence:  
This is a continuation of co-pending application Serial No. 08/726,377 filed  
October 4, 1996.

**VIII. INVENTORSHIP STATEMENT**

☒ With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC § 120, the inventor(s) in this application is (are):

☒ the same

☐ less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

[Name(s) of inventor(s) to be deleted]

**IX. ASSIGNMENT**

☒ The prior application is assigned of record to Contigo Software LLC.

☐ An Assignment of the invention to \_\_\_\_\_ is attached.

**X. FEE PAYMENT BEING MADE AT THIS TIME**

☒ Attached is a check in the amount of \$380.00.

☐ Charge Deposit Account No. **12-2475** in the amount of \_\_\_\_\_.

**XI. AUTHORIZATION TO CHARGE ADDITIONAL FEES**

The Commissioner is hereby authorized to charge any additional fee or credit any overpayment to Deposit Account No. **12-2475**:

**XII. POWER OF ATTORNEY**

☒ The power of attorney in the prior application is to the registered attorneys listed below and members of or associates in the law firm of **LYON & LYON LLP**, 633 West Fifth Street, 47<sup>th</sup> Floor, Los Angeles, California 90071, Registration No. 11,611, whose members are registered to practice in the U.S. Patent and Trademark office:

Roland N. Smoot, Reg. No. 18,718  
Conrad R. Solum, Jr., Reg. No. 20,467  
James W. Geriak, Reg. No. 20,233  
Robert M. Taylor, Jr., Reg. No. 19,848  
Samuel B. Stone, Reg. No. 19,297  
Douglas E. Olson, Reg. No. 22,798  
Robert E. Lyon, Reg. No. 24,171  
Robert C. Weiss, Reg. No. 24,939  
Richard E. Lyon, Jr., Reg. No. 26,300  
John D. McConaghy, Reg. No. 26,733  
William C. Steffin, Reg. No. 26,811  
Coe A. Bloomberg, Reg. No. 26,605  
J. Donald McCarthy, Reg. No. 25,119  
John M. Benassi, Reg. No. 27,483  
James J. Shalek, Reg. No. 29,749  
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Robert W. Dickerson, Reg. No. 29,914  
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Kurt T. Mulville, Reg. No. 37,194  
Theodore S. Maceiko, Reg. No. 35,593  
Bruce G. Chapman, Reg. No. 33,846  
F. T. Alexandra Mahaney, Reg. No. 37,668  
Reg. No. 36,727

- ☒ The power appears in the original papers in the prior application. (See copy of Revocation and Grant of Power of Attorney filed January 4, 1999 attached.)
- ☐ The power does not appear in the original papers, but was filed on \_\_\_\_\_ in this application.
- ☐ A new power has been executed and is attached.
- ☒ Address all future communications to:

LYON & LYON LLP  
633 West Fifth Street, 47<sup>th</sup> Floor  
Los Angeles, California 90071  
(213) 489-1600  
Attention: Daniel N. Yannuzzi

Respectfully submitted,

LYON & LYON LLP

By: \_\_\_\_\_

Daniel N. Yannuzzi  
Reg. No. 36,727

Dated: March 18, 1999

633 West Fifth Street, Suite 4700  
Los Angeles, California 90071-2066  
(213) 489-1600  
Enclosures